FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2505 OF 2004
IN
FIRST APPEAL NO.157 OF 1994
IN
MUNICIPAL APPEAL NO. 1964 OF 1993

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Shri M.D. Patil, advocate for B.M.C.

CORAM: A.S. OKA, J.
DATE : 27th August, 2004.

P.C.:-

1. This application is taken out by the Appellants in the First Appeal for restoratin of the First Appeal which was dismissed as the Appellants failed to remove office objections as per order dated 8th February, 2002. Shri Patil, learned Counsel appearing for the Appellants has placed on record, office copy of the notice dated 18th August, 2004 send by the Appellants to the Respondents. Shri Patil stated tht the said office copy bears the acknowledgment of the Branch Manager of the Respondent. The office copy is taken on record and marked 'X'. The

statement made by the Appellants is accepted.

2. In view of the averments made in paragraph nos. 5 to 7 of the Civil Application, case is made out for restoration of the First Appeal. Accordingly, Civil application is allowed in terms of prayer clause (a) subject to conditions that Appellants will remove all office objections in the First appeal within a period of six weeks. If office objections are not removed within the stipulated period, the order of dismissal will stand.

3. If compliance is made by the Applicants, office is directed to issue fresh notice in the First Appeal intimating the Respondents that the First Appeal has been restored to file.

SD/-

JUDGE